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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/132,327	08/11/1998	MICHEL SAFARS	USB97-SVN-OM	9217

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EXAMINER

PAULA, CESAR B

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/132,327

Applicant(s)

SAFARS ET AL.

Examiner

CESAR B PAULA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 62-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 62-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This action is responsive to the amendment filed on 1/10/03.

This action is made Final.

2. In the amendment, claim 61 has been canceled. Claims 75-78 have been added. Claims 62-78 are pending in the case. Claims 75-76, and 78 are independent claims.

3. The rejection of claim 61 under 35 U.S.C. 103(a) as being unpatentable over Small et al, hereinafter Shwarts et al, hereinafter Shwarts (Pat.# 5,524,201, 6/4/96), in view of Kessenich et al., hereinafter Kessenich (Pat. # 6,034,680, 3/7/2000, filed on 4/30/1997) is withdrawn as necessitated by the amendment.

4. The rejections of claims 62-74 under 35 U.S.C. 103(a) as being unpatentable over Shwarts, in view of Kessenich, further in view of Weinberg et al, hereinafter Weinberg (Pat.# 5,924,108, 6/13/99, filed on 3/29/96), and further in view of Fein et al, hereinafter Fein (Pat. # 5,924,108, 7/13/99, filed on 3/29/96) are withdrawn as necessitated by the amendment.

Priority

5. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), and based on application # PCT/FR98/00917 filed in France on 5/6/1998, which papers have been placed of record in the file.

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Drawings

6. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claim 75 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Examiner has failed to find a description of the specific function of the pagelets--“being distinct from functions accessing contents referenced by the pages” L.12-15.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al, hereinafter Robertson (Pat.# 6,486,895, 11/26/02, filed on 9/8/95).

Regarding independent claim 75, Robertson teaches the organization of web pages into an electronic book using a book metaphor. The web pages are made up of varied content, such as audio, video, images, etc. (c.1, L.42-67, c.2, L.14-67, and c.6,L.1-67).

Moreover, Robertson discloses the addition of web pages to a given electronic book. These web pages are converted into software objects that have a common architecture, and which perform different specific functions for specifying layout, and to indicatoruffling of the pages (c.2, L.14-67, and c.6,L.10-67).

Moreover, Robertson fails to explicitly disclose *electronic documents originating from a plurality of sources*. Kessenich discloses a method for displaying hyperlinks from a plurality of source, such as museum, art galleries, etc. (c.3,L.21-c.4,L.67, c.7,L.1-67, c.2,L.21-67). It would have been obvious to one of ordinary skill in the art to have combined the teachings of Robertson, and Kessenich, because Kessenich teaches above the combination of multiple books in a carefully constructed educational context, and providing a richer, and fuller reading experience.

Moreover, Robertson fails to explicitly disclose *the documents are arranged as pages in chapters*. It would have been obvious to one of ordinary skill in the art to have divided the electronic book into chapters, because Robertson teaches the organization of information in a book metaphor, and the inclusion of chapters would have enabled a user to organize documents (c.1,L.65-c.2,L.50).

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Furthermore, Robertson fails to explicitly disclose *electronic book...that are each usable in other electronic books*. It would have been obvious to one of ordinary skill in the art to have allowed the pages be used in other books, because Robertson teaches the transfer, and use of the electronic book by other users, and that the web pages are converted into interchangeable/rearrangeable objects, and the use of the page objects would have enabled a user to interchange, and rearrange the page objects without having to convert these page objects (c.6,L.1-67).

11. Claims 76-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson (Pat. # 6,486,895, 11/26/02, filed on 9/8/95), in view of Kessenich et al., hereinafter Kessenich (Pat. # 6,034,680, 3/7/2000, filed on 4/30/1997).

Regarding independent claim 76, Robertson teaches the conversion, and organization of web pages into an electronic book, with a standard interface, using a book metaphor. The web pages are made up of varied content, such as audio, video, images, etc. (c.1, L.42-67, c.2, L.14-67, and c.6,L.1-67).

Moreover, Robertson discloses the addition of web pages to a given electronic book. These web pages are converted into software objects that have a common architecture, and which perform different specific functions for specifying layout, and to indicate ruffling of the pages (c.2, L.14-67, and c.6,L.10-67).

Moreover, Robertson fails to explicitly disclose *electronic documents originating from a plurality of sources*. Kessenich discloses a method for displaying hyperlinks from a plurality of source, such as museum, art galleries, etc. (c.3,L.21-c.4,L.67, c.7,L.1-67, c.2,L.21-67). It would

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have been obvious to one of ordinary skill in the art to have combined the teachings of Robertson, and Kessenich, because Kessenich teaches above the combination of multiple books in a carefully constructed educational context, and providing a richer, and fuller reading experience.

Moreover, Robertson fails to explicitly disclose *the documents are arranged as pages in chapters*. It would have been obvious to one of ordinary skill in the art to have divided the electronic book into chapters, because Robertson teaches the organization of information in a book metaphor, and the inclusion of chapters would have enabled a user to organize documents (c.1,L.65-c.2,L.50).

Furthermore, Robertson fails to explicitly disclose *a standardized interface that is independent of computer languages*. Gish teaches the creation of a presentation interface using platform independent JAVA programming language (c.15,L.20-c.16,L.16). It would have been obvious to one of ordinary skill in the art to have combined the teachings of Robertson, and Gish, because Gish teaches above the creation of robust, secure, interfaces, which can be shared across multiple platforms, using JAVA.

Regarding claim 77, which depends on claim 76, Robertson teaches the addition of web pages to a given electronic book. These web pages are converted into software objects that have which have a title or description of each page, and then incorporated into an electronic book or catalog (c.2, L.14-67, fig. 11, and c.6,L.10-67). Robertson fails to explicitly disclose *adding the selected pagelet as a page to a catalog*. It would have been obvious to one of ordinary skill in the art to have added the selected pagelets to a catalog, because Robertson teaches the transfer,

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and use of the electronic book by other users, and that the web pages are converted into interchangeable/rearrangeable objects (c.6,L.1-67).

Claim 78 is directed towards a method for implementing the method found in claim 76, and, therefore is similarly rejected.

12. Claims 62-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson, in view of Weinberg et al, hereinafter Weinberg (Pat.# 5,924,108, 6/13/99, filed on 3/29/96), and further in view of Fein et al, hereinafter Fein (Pat. # 5,924,108, 7/13/99, filed on 3/29/96).

Regarding claim 62, which depends on claim 75, Robertson teaches the indexing and reorganization of web pages, providing navigation information (c.6, L.1-67). Robertson fails to explicitly disclose *searching the internet and adding the search results as new pages, preparing summaries of one or more of the pages, performing statistical analyses, inserting new pages, automatically updating the electronic books*. Weinberg teaches the search, adding, performing statistical analyses, and automatic updating of web pages to a web site (abstract, col.24, lines 47-67, col. 26, lines 32-67). Fein teaches the summarizing function for creating the summary of a document (col. 4, lines 29-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combine the teachings of Robertson, Weinberg, and Fein, because Weinberg teaches above that these features facilitates document management, and Fein discloses the automatic creation of summaries, which succinctly describe a document's content (col. 2, lines 42-46).

Claims 63-74 are directed towards a method for implementing the method found in claim 62, and are therefore similarly rejected.

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Response to Arguments

13. Applicant's arguments with respect to claims 61-74 have been considered but are moot in view of the new ground(s) of rejection. The Applicant remarks that the commands taught by Schwarts are manually inserted, but are not equivalent to the pagelets taught in newly added claim 75 (p.5,L.20-p.6,L.3). The Applicant is referred to the rejection of the claims in view of the newly found prior art as outlined above.

Moreover, the Applicant remarks that neither Schwarts, nor Kessenich teach or suggest pagelets that access and alter the electronic document structure, and are different from functions accessing contents of the electronic books (p.6,L.11-26). The Applicant is referred to the rejection of the claims in view of the newly found prior art as outlined above.

Regarding claim 78, the Applicant submits that neither Schwarts, nor Kessenich et al teach or suggest the limitations herein (p.8,L.1-7). The Applicant is referred to the rejection of the claims in view of the newly found prior art as outlined above.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Krause et al. (Pat. # 6,154,757).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Director United States Patent and Trademark Office

Washington, D.C. 20231

Or faxed to:

- (703) 746-7238, (for **After Final** communications intended for entry)
- (703) 746-7239, (for **Formal** communications intended for entry, **except formal After Final communications**)

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Or:

- (703) 746-7240, (for **Informal or Draft** communications for discussion only, please label **"PROPOSED"** or **"DRAFT"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

CBP

3/10/03


STEPHEN S. HONG
PRIMARY EXAMINER